

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

DRUG MART PHARMACY CORP., et al.,)
Plaintiffs,)
)
v.)
)
AMERICAN HOME PRODUCTS, CORP.,)
et al.,)
Defendants.)

No. 93 CIV 5148 (ILG)(SMG)

**NOTICE OF DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE
RELATED TO TRADE ASSOCIATION ACTIVITIES OF THE "PHARMACEUTICAL
PARTNERS FOR BETTER HEALTHCARE" OR THE INTERNATIONAL
PHARMACEUTICAL COMPANIES WHO ATTENDED "INTERPHARMA" HOSTED
MEETINGS AT THE DOLDER HOTEL IN SWITZERLAND**

TO: Counsel on the Attached Certificate of Service

PLEASE TAKE NOTICE THAT, upon the annexed declaration of Peter C. Trimarchi dated August 13, 2004, the exhibits annexed thereto, the accompanying memorandum of law, and all prior proceedings had herein, the undersigned defendants will move this Court for an Order precluding admission of evidence relating to trade association activities of the "Pharmaceutical Partners for Better Healthcare" or the international pharmaceutical companies who attended "Interpharma" hosted meetings at the Dolder Hotel in Switzerland, pursuant to the Revised Scheduling Order dated August 10, 2004, or as soon thereafter as counsel may be heard.

This motion is based upon and supported by the reasons set forth in the accompanying Memorandum of Law.

Dated: August 13, 2004

Respectfully submitted,

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